

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHNNY WHITE, JR.

Plaintiff,

-against-

No.: 19-CV-00543 (CS)

PROPOSED
ORDER

C.O. E. TORRES, C.O. T. CUNNINGHAM, C.O. LAWTON BROWN,
C.O. A. LORENZO, SGT. M. PANZARELLA, and LT. PONTANTE

Defendants.

STIPULATION AND CONFIDENTIALITY ORDER

WHEREAS, Defendants C.O. E. TORRES, C.O. T. CUNNINGHAM, C.O. LAWTON BROWN, C.O. A. LORENZO, SGT. M. PANZARELLA, and LT. PONTANTE (collectively referred to herein as “Defendants”) intend to call Debra Scapillato as a witness in their case in chief (ECF Docket # 150).

WHEREAS Ms. Scapillato is presently an employee of the New York State Office of Mental Health.

WHEREAS Ms. Scapillato’s testimony will involve testimony concerning Plaintiff’s personal health information.

WHEREAS, Plaintiff has already authorized the disclosure of his medical records maintained by the New York State Office of Mental Health.

WHEREAS, Plaintiff has placed his mental health at issue in this lawsuit; and

WHEREAS this Court finds that the interests of justice significantly outweigh the need for confidentiality, regarding Ms. Scapillato's testimony, and that nothing herein shall be construed to affect existing rights of employees in disciplinary proceedings.

IT IS THEREFORE subject to the Order of the Court, that Debra Scapillato may disclose Plaintiff's personal health information at trial, which is scheduled to begin on November 13, 2023.

Dated: White Plains, NY
November 1, 2023

A handwritten signature in black ink that reads "Cathy Seibel". The signature is written in a cursive, flowing style.

HON. CATHY SEIBEL